

## REPORTS

**§918.75 Reports.**

For the purpose of enabling the Industry Committee to perform its functions and duties pursuant to the provisions of this part, each handler shall furnish to the committee such information, in such form and at such times and substantiated in such manner as shall be prescribed by the committee and approved by the Secretary, as may thus be requested by the committee with regard to each shipment of peaches.

**§918.76 Confidential information.**

All data or other information constituting a trade secret or disclosing a trade position or business condition shall be received by, and kept in the custody of, one or more designated employees of the Industry Committee, and information which would reveal the circumstances of a single handler shall be disclosed to no person other than the Secretary.

[55 FR 1382, Jan. 16, 1990]

**§918.77 Verification of reports and records.**

For the purpose of checking compliance with recordkeeping requirements and verifying reports filed by handlers, the Secretary and the Industry Committee through its duly authorized employees shall have access to any premises where peaches are held and, at any time during reasonable business hours, shall be permitted to examine any peaches held and any and all records with respect to matters within the purview of this part. Handlers shall furnish labor necessary to facilitate such examinations at no expense to the Industry Committee. All handlers shall maintain complete records which accurately show the quantity of peaches held, sold, and shipped. The Industry Committee, with the approval of the Secretary, may establish the type of records to be maintained. Such records shall be retained by handlers for not less than two years subsequent to the termination of each fiscal period.

[55 FR 1382, Jan. 16, 1990]

## EFFECTIVE TIME AND TERMINATION

**§918.80 Effective time.**

The provisions of this subpart shall become effective April 27, 1942, and shall continue in force until terminated in one of the ways specified in §918.81.

**§918.81 Termination.**

(a) The Secretary shall terminate or suspend the operation of this part or any provision thereof whenever he finds that the part or any provision thereof does not tend to effectuate the declared policy of the act.

(b) The Secretary shall terminate the provisions of this part whenever he finds by referendum or otherwise that such termination is favored by the majority of the growers: *Provided*, That such majority has, during the current marketing season, produced more than 50 percent of the peaches which were produced for market within the area. Such termination shall become effective on the last day of February following the announcement thereby by the Secretary.

(c) The Secretary shall conduct a referendum among growers to ascertain whether continuance of this part is favored by growers, when requested to do so by the committee, or upon the request of 6 or more growers who produced 10 percent or more of the inspected peaches shipped during the then current fiscal period: *Provided*, That such request is received prior to December 1.

(d) The Secretary shall conduct a referendum among growers every six years after the effective date of this amended subpart to ascertain whether continuance of this part is favored by growers. However, when a continuance referendum is conducted pursuant to paragraph (c) of this section, this referendum shall be conducted six years after the referendum conducted pursuant to paragraph (c) of this section. The Secretary may terminate the provisions of this part at the end of any fiscal period in which the Secretary has found that continuance of this part is not favored by growers who, during a representative period determined by the Secretary, have been engaged in the production for market of the fruit